

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NATALIA MIDDLETON,

Plaintiff,

– *against* –

P.O. CLAIRE INFANTE,

Defendant.

ORDER

24 Civ. 8217 (ER)

Ramos, D.J.:

Ms. Middleton, proceeding *pro se*, filed this action on October 28, 2024. Doc. 1. On May 2, 2025, P.O. Infante answered the complaint. Doc. 16. Also on May 2, 2025, P.O. Infante filed a letter requesting a pre-motion conference for her anticipated motion to dismiss, as well as requesting that discovery be stayed pending resolution of that motion. Doc. 17 (the “May 2 Letter”). On May 5, 2025, the Court schedule a telephonic pre-motion conference for May 22, and it directed Ms. Middleton to respond to P.O. Infante’s May 2 Letter by May 16. Doc. 18. On May 13, 2025, Ms. Middleton filed her response to P.O. Infante’s May 2 Letter. Doc. 19.

At the pre-motion conference on May 22, 2025, the Court set a briefing schedule for P.O. Infante’s motion to dismiss, with the motion due June 11, Ms. Middleton’s opposition due July 9, and P.O. Infante’s reply due July 15, 2025. *See* Min. Entry dated May 22, 2025. However, on May 27, 2025, even before P.O. Infante filed her formal motion, Ms. Middleton filed a second response to P.O. Infante’s May 2 Letter, titled “Plaintiff’s Formal Response to Defendant’s Motion.” Doc. 20.

On June 11, 2025, P.O. Infante filed a motion for judgment on the pleadings pursuant to Federal Rule of Civil Procedure 12(c). Doc. 22. Although Ms. Middleton

was entitled to file an opposition to that motion by July 9, 2025, she did not file one.

The Court therefore orders as follows: Ms. Middleton may file an opposition to P.O. Infante's motion by July 28, 2025. If Ms. Middleton files an opposition, P.O. Infante may file a reply by August 4, 2025. If Ms. Middleton does not file an opposition by July 28, 2025, the Court will consider the motion as fully briefed and will issue an opinion based only on the papers that have been filed, including Ms. Middleton's May 13 and May 27 responses to P.O. Infante's May 2, 2025 Letter.

It is SO ORDERED.

Dated: July 14, 2025
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', is written above a horizontal line.

EDGARDO RAMOS, U.S.D.J.